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Attorneys for Plaintiff
ALIGN TECHNOLOGY, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALIGN TECHNOLOGY, INC.,)	CASE NO. 3:18-CV-06663-TSH
)	
Plaintiff,)	DECLARATION OF JOSHUA RAYES IN
)	SUPPORT OF PLAINTIFF'S MOTION FOR
v.)	PRELIMINARY INJUNCTION
)	
STRAUSS DIAMOND INSTRUMENTS, INC.,)	
)	
Defendant.)	

1 I, Joshua Rayes, declare as follows:

2 1. I am an attorney with the law firm of Turner Boyd LLP, and am counsel of record in this
3 action for Plaintiff Align Technology, Inc. (“Align”). I have personal knowledge of the statements
4 below, and would testify truthfully to them if called upon to do so.

5 2. Attached as **Exhibit A** is a true and correct copy of customer testimonials from Align’s
6 website.

7 3. Attached as **Exhibit B** is a true and correct copy of Registration Certificates for Trademark
8 Registration Nos. 3060471, 3191195, 3418121, 3687585, 3911988, 4025403, 4838523, 4926817,
9 4941492 owned by Align.

10 4. Attached as **Exhibit C** is a true and correct copy of an Align press release dated July 10,
11 2017.

12 5. Attached as **Exhibit D** is a true and correct copy of an Align press release dated December
13 17, 2018.

14 6. Attached as **Exhibit E** is a true and correct copy of publicized information from Align’s
15 website.

16 7. Attached as **Exhibit F** is a true and correct copy of an Align press release dated December
17 21, 2018.

18 8. Attached as **Exhibit G** is a true and correct copy of the 2018 Good Design Award for the
19 iTero Element 2 from the Chicago Athenaeum Museum of Architecture and Design and the European
20 Centre for Architecture Art Design and Urban Studies.

21 9. Attached as **Exhibit H** is a true and correct copy of the 2018 Good Design Award for the
22 iTero Element Flex from the Chicago Athenaeum Museum of Architecture and Design and the
23 European Centre for Architecture Art Design and Urban Studies.

24 10. Attached as **Exhibit I** is a true and correct copy of a printout from Strauss Diamond’s
25 website.

26 11. Attached as **Exhibit J** is a true and correct copy of an August 23, 2018 post on Strauss
27 Diamond’s Facebook account.
28

12. Attached as **Exhibit K** is a true and correct copy of the Operation Manual for the iTero Element scanner. Page 12 of the manual (PDF page 21 of 26) shows pictures of Align's Disposable Sleeve and its Protective Sleeve.

13. Attached as **Exhibit L** is a true and correct copy of a printout from Strauss Diamond's website. This page is linked from Exhibit I.

14. Attached as **Exhibit M** is a true and correct copy of Strauss Diamond's "Sterilization Instruction for MagicSleeve."

15. Attached as **Exhibit N** is a true and correct copy of a screenshot from Strauss Diamond's website showing purchase options for the Glass for MagicSleeve and for the MagicSleeve itself.

16. Attached as **Exhibit O** is a true and correct copy of screenshots from Strauss Diamond's Facebook page.

17. Attached as **Exhibit P** is a true and correct copy of screenshots from Strauss Diamond's LinkedIn page and screenshots of videos posted on Strauss Diamond's LinkedIn page.

18. Attached as **Exhibit Q** is a true and correct copy of screenshots from Strauss Diamond's Instagram page.

19. Attached as **Exhibit R** is a true and correct copy of screenshots of videos Strauss Diamond uploaded to Youtube.

20. Attached as **Exhibit S** is a true and correct copy of screenshots of code/metadata from Strauss Diamond's website.

21. Attached as **Exhibit T** is a true and correct copy of screenshots from Align's website.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct.

Executed this 24th day of January 2019, in San Francisco, California.

/s/ Joshua Rayes

Joshua Rayes